John Heykoop dba Eagle Towing v Michigan State Police, et al USDC-WD No: 1:18-cv-00632 Honorable Robert J. Jonker Magistrate Judge Phillip J. Green

EXHIBIT 3

02/04/2019 Pages 1–4

U2/	04/2019					Pages 1-
1.	P IN THE DISTRICT COURT OF THE UNITED STATES	age 1	1	TABLE OF CON	TENTS	Page
2	FOR THE WESTERN DISTRICT OF MICHIGAN		2			
3			3	WITNESS	PAGE	
4			4	FIRST LIEUTENANT CHRIS MCINTIRE		
5	JOHN HEYKOOP D/B/A		5			
6	EAGLE TOWING,		6	EXAMINATION BY MR. BRENNAN	5	
7	Plaintiff,		7	EXAMINATION BY MR. MYERS	123	
8	vs. Case No. 1:18-cv-00632		8	RE-EXAMINATION BY MR. BRENNAN	126	
9	Hon. Robert J. Jonker		9			
10			10	EXHIBITS		
11	FIRST LIEUTENANT JEFFREY WHITE;		11			
12	FIRST LIEUTENANT CHRIS		12	EXHIBIT	PAGE	
13	MCINTIRE,		13	(Exhibits attached to transcript	.)	
4	Defendants.		14	_		
15			15	DEPOSITION EXHIBIT 1	9	
16			16	DEPOSITION EXHIBIT 2	17	
17			17	DEPOSITION EXHIBIT 3	35	
18	The Deposition of FIRST LIEUTENANT CHRIS MCINTIRE,		18	DEPOSITION EXHIBIT 4	77	
19	Taken at 4151 Okemos Road,		19	DEPOSITION EXHIBIT 5	78	
	Okemos, Michigan,					
20			20	DEPOSITION EXHIBIT 6	81	
21	Commencing at 10:34 a.m.,		21	DEPOSITION EXHIBIT 7	83	
22	Monday, February 4, 2019,		22	DEPOSITION EXHIBIT 8	87	
:3	Before Rebecca L. Russo, CSR-2759, RMR, CRR.		23	DEPOSITION EXHIBIT 9	92	
24			24	DEPOSITION EXHIBIT 10	102	
25			25	DEPOSITION EXHIBIT 11	102	
	P	age 2				Page
1	APPEARANCES:		1	DEPOSITION EXHIBIT 12	104	
2			2	DEPOSITION EXHIBIT 13	105	
3	JOHN S. BRENNAN		3	DEPOSITION EXHIBIT 14	105	
4	Fahey Schultz Burzych Rhodes PLC		4	DEPOSITION EXHIBIT 15	106	
5	4151 Okemos Road		5	DEPOSITION EXHIBIT 16	107	
6	Okemos, Michigan 48864		6	DEPOSITION EXHIBIT 17	108	
7	517.381.0100		7	DEPOSITION EXHIBIT 18	109	
8	jbrennan@fsbrlaw.com		8	DEPOSITION EXHIBIT 19	110	
9	Appearing on behalf of the Plaintiff.		9	DEPOSITION EXHIBIT 20	110	
10			10	DEPOSITION EXHIBIT 21	113	
11	PATRICK S. MYERS		11	DEPOSITION EXHIBIT 22	114	
12	Assistant Attorney General		12	DEPOSITION EXHIBIT 23	114	
13	Civil Litigation Employment & Elections Division		13	DEPOSITION EXHIBIT 24	117	
14	525 West Ottawa Street		14	DEPOSITION EXHIBIT 25	119	
15	Lansing, Michigan 48933		15	DEPOSITION EXHIBIT 26	120	
16	517.373.6434		16	DEPOSITION EXHIBIT 27	121	
۱7	myersp4@michigan.gov		17	DEPOSITION EXHIBIT 28	121	
.8	Appearing on behalf of the Defendants.		18			
19			19			
20	ALSO PRESENT:		20			
21	John Heykoop		21			
22			22			
23			23			
23						
4.16			24			
25		I	25			

Pages 9-12

	· · · ·	V * /			1 1203 7 12
1	Q.	Page 9 You understand what the case is about?		A.	Page 11
2	A.	I do.	2	Q.	there is a no-pref towing list?
3	0.	Okay. I'm going to the first thing I want to do	3	Ã.	There is a list, that's correct.
4	-	is, I want to go over some of the answers that you	4	Q.	Okay. And just for shortness I'm going to use
5		gave in your interrogatories and clarify a few things.	5	•	"no-pref"
6	A.	Okay.	6	A.	Sure.
7	Q.	Okay.	7	٥.	instead of "no-preference," okay?
8	×.	MR. BRENNAN: So if you could mark that for	8	×.	All right, and is that because you just
9		me, please?	9		haven't seen it or it's not available at the post
10		MARKED FOR IDENTIFICATION:	10		or
11		DEPOSITION EXHIBIT 1	11	A.	I don't deal with it. It's maintained by Muskegon
12		10:38 a.m.	12	Α,	County Central Dispatch, and I just don't know what
13	DV N	IR. BRENNAN:	13		wrecker companies are on that list.
14	0.			^	-
15	Ų.	So I'm showing you what's been marked as Exhibit 1,	14 15	Q.	Okay. And you didn't, you didn't make an attempt to
		and if you could, just page through that.			find that list when you were answering the
16		When I show you documents, take as much	16		interrogatory?
17		time as you want to. Just make sure you're familiar	17	A.	No.
18		with the documents.	18	Q.	Okay. And then the second question asks you to
19	A.	Sure.	19		identify the wreckers and towing companies that have
20	Q.	I don't care about time or silence, it's not a big	20		been removed from the list in the past ten years, and
21	_	deal,	21		your answer says, to your knowledge, no towing company
22	A.	Okay.	22		besides plaintiff has been removed. And I guess I'm
23	Q.	I'm not going to ask you questions about Lieutenant	23		tying to figure out the question said please
24		White's portion of it	24		identify all wreckers or towing companies that have
25	A.	Okay.	25		been, that have been removed, and I guess what I'm
		Page 10	<u> </u>		Page 12
1	Q.	but the back end of that you might want to look at,	1		trying to get at here is so you're saying that
2		because that's your response to the document request.	2		within the past ten years, only Eagle Towing has been
3		I just want to make sure you're familiar with that, as	3		removed from the list. Is that correct?
4		well. I'll kind of be using that as we go through the	4	A.	Well, first of all, to make the ten-year part is
5		whole deposition today, actually.	5		kind of a problem for me, in the sense that I wasn't
6	A.	Okay.	6		involved with Muskegon County for ten years. We
7	Q.	Okay. So you, you obviously saw these interrogatories	7		combined the Rockford and Grand Haven post about four
8		and provided the answers to your attorney with regard	8		or five years ago.
9		to how you wanted to respond to these, is that	9	Q.	Okay.
10		correct?	10	A.	I took over Grand Haven at that point in time, so
11	A.	I did.	11		prior to that I would have had no working knowledge of
12	Q.	Okay. And is that your signature also on page 5?	12		anything in Muskegon County.
13	A.	It is.	13	Q.	Okay, so how about if we just go back five years for
14	Q.	Okay. And you were under oath when you signed that,	14		clarification, then?
15		or I presume you were under oath. It says you were,	15	A.	Sure.
16		right?	16	Q.	Okay. So, as far as you know, no other towing company
17	A.	Yes.	17	-	was removed from the list in that period of time
18	Q.	Okay. If you could look at number 1, we asked if you	18		except for Eagle Towing?
19		could identify all the wreckers or towing companies	19	A.	That's what I understand, yes.
20		that have been placed on your no-preference wrecker	20	Q.	Okay. Now, you state and we're going to go over
21		rotation list, and you state that you have no personal	21	~ -	Official Order 48
22		knowledge of which towing companies are on the list	22	A.	Okay.
23		since 2014.	23	Q.	but I just want to get the sense that what you're
24		And that seems to assume that you do have a	24		saying in response to question 3, which asks you to
25		list, is that correct	25		identify the process used for reviewing applications
Ĺ <u>.</u>					The franchist and the total additional addit

Pages 13-16

					Pages 13–16
1		Page 13 and removing, and also removing wreckers or towing	1		Page 15 complaint?
2		companies from the list, you're basically saying here,	2		<u>-</u>
3		and correct me if I'm wrong, please, that your post	3	A. Q.	I don't. It was back in I think 2000
4		follows Order 48 for both considering, placement, and	4	Ų. A.	
5		removing companies from that list. Is that correct?	5	Q.	No. I don't know, '14 or so, '13, '14 or '15.
6	A.	Yes.	6	v.	Okay. So the only complaint that you received that
7	Q.	Okay. So you're acknowledging here that Order 48 is	7		you're aware of was 2014?
8	۷,	what you have to abide by for doing those things. Is	1	A.	Correct.
9		that correct?	8	Q.	Okay. And do you know what you did in response to
10	A.	Yes.	10	A.	that complaint?
11	Q.	Okay. And then, and then we've asked for, in number 4		А.	I listened to the complainant's complaint, and then I
12	Ž.	we've asked for the names of companies that have been	11 12	^	talked to Mr. Heykoop about it and resolved it.
13		on the list since plaintiff's removal, and again,		Q.	Okay. And do you know what the complaint was about?
14		you're just referring to the Muskegon County Central	13	A.	The guy thought he was overcharged.
15			14	Q.	Okay. And you resolved it; how did you resolve it?
16	2	Dispatch for that information. Is that right? Correct.	15	A.	Talked to Mr. Heykoop about the overcharging. First I
17	Α.		16		took, and I can't remember the dollar amount the guy
18	Q.	Did you actually it looks like you may have called	17		said that he actually was, thought he was overcharged,
19		them or got the information from them because you do	18		but it was several thousands of dollars.
20	A.	list names. Is that right?	19		I took that information from him, and I
21	A.	Yes, I did deal with the Muskegon County Central	20		went to some of the companies in Muskegon County, I
22	^	Dispatch.	21		can't remember which ones I went to, and just asked
23	Q.	Okay. So would it be fair to say that they're kind	22		them what they would charge for the type of incident
23 24		of, I don't know, the caretaker of the list	23		the person was involved with, and the two places that
25	A.	They are.	24		I talked to were right around four to five hundred
<u> </u>	Q.	so to speak?	25		dollars.
1	A.	Page 14	1	Q.	Page 16 Okay.
2	Q.	Okay, but they take direction from you as to who's on	2	A.	I talked with Mr. Heykoop about that incident, and he
3	~	and who's not on that list, is that correct?	3	***	
4	A.				acknowledged that he acknowledged what he charged
5		Correct.	4		acknowledged that he acknowledged what he charged,
	0.	Correct. Okay. Then in number 5 we asked if you could identify	4 5		and I believe the reasons that he gave were he has a
6	Q.	Okay. Then in number 5 we asked if you could identify	5		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a
	Q.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker	5 6		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he
7	Q.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved	5 6 7		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and
7 8	Q.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of	5 6 7 8		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene.
7 8 9	Q.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of service provided, or the fee or rate charged.	5 6 7 8 9		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene. I explained to him that I thought it was in
7 8 9 10	Q.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of service provided, or the fee or rate charged. And your response is the only company	5 6 7 8 9		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene. I explained to him that I thought it was in excess of what he should be charging, and that if I
7 8 9 10 11	Q.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of service provided, or the fee or rate charged. And your response is the only company you've ever received a complaint about was about	5 6 7 8 9 10		and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene. I explained to him that I thought it was in excess of what he should be charging, and that if I were to receive any more complaints from citizens that
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7 8 9 10 11 12 13 14 15	A.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of service provided, or the fee or rate charged. And your response is the only company you've ever received a complaint about was about Plaintiff. Is that right? Correct. Do you know how many it says identify them, but you didn't really identify them. I'm just trying to	5 6 7 8 9 10 11 12 13 14 15	Q.	and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene. I explained to him that I thought it was in excess of what he should be charging, and that if I were to receive any more complaints from citizens that they were being overcharged, I would come back to him then and I would have to take a look at removal from the no-preference list for overcharging. Okay. Do you know whether that person filed any
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7 8 9 10 11 12 13 14 15 16 17 18	A.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of service provided, or the fee or rate charged. And your response is the only company you've ever received a complaint about was about Plaintiff. Is that right? Correct. Do you know how many it says identify them, but you didn't really identify them. I'm just trying to and it may just be a misunderstanding, because I said please identify any complaints, and you identified the company, and what I'm trying to figure out is how many	5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q.	and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene. I explained to him that I thought it was in excess of what he should be charging, and that if I were to receive any more complaints from citizens that they were being overcharged, I would come back to him then and I would have to take a look at removal from the no-preference list for overcharging. Okay. Do you know whether that person filed any formal complaints or sought any remedy through the judicial system? I don't believe so. He told me that he he said,
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. Q. A.	Okay. Then in number 5 we asked if you could identify complaints made to you about or related to any wrecker or towing company in which the subject matter involved was related to a deficiency in the quality or type of service provided, or the fee or rate charged. And your response is the only company you've ever received a complaint about was about Plaintiff. Is that right? Correct. Do you know how many it says identify them, but you didn't really identify them. I'm just trying to and it may just be a misunderstanding, because I said please identify any complaints, and you identified the company, and what I'm trying to figure out is how many complaints did you have you received. About the company? About, yes, how many complaints about them. I firsthand received one complaint about them.	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q.	and I believe the reasons that he gave were he has a lot of certifications, that his people go through a lot of extra training they go through, therefore he charges extra money based on the certifications and things he does at the scene. I explained to him that I thought it was in excess of what he should be charging, and that if I were to receive any more complaints from citizens that they were being overcharged, I would come back to him then and I would have to take a look at removal from the no-preference list for overcharging. Okay. Do you know whether that person filed any formal complaints or sought any remedy through the judicial system? I don't believe so. He told me that he he said, "The reality of it is, I'm not out any money. It didn't cost me anything. My insurance company paid it. I just think that it was excessive." Okay.
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offhand who filed that complaint or who sent that

25

25

ever received, is that correct?

Pages 17-20

02/	04/2	3019		Pages 17–
1	Α.	Page 17 Me, personally.	1	Page
2	Q.	Okay. Can you just give me a sense, on number 6, what	1	1 , 1
3	v.		2	<u>.</u>
4	A.	this Rudd versus City of Norton Shores case was about? Mr. Rudd asked me to investigate an incident with the	3	J
5	А.	•	4	
6		Norton Shores Police Department, and there was no	5	• • • • • • • • • • • • • • • • • • • •
7		incident to investigate, so I didn't investigate it. And then he filed a lawsuit against me, more so than	7	
8		Norton Shores Police Department, but me for failing to	8	
9		do my duties as a police officer to investigate this	9	
10		crime.	10	
11	Q,	Okay.	11	
12	A.	And it was dismissed.	12	· · · · · · · · · · · · · · · · · · ·
13	Q.	Okay. I'm just going to interrupt this for just a	13	_
14	٧.	second and go over this real quick.	14	
15		MARKED FOR IDENTIFICATION:	15	
16		DEPOSITION EXHIBIT 2	16	· · · · · · · · · · · · · · · · · · ·
17		10:49 a.m.	17	,, <u></u>
18	BY I	MR. BRENNAN:	18	
19	Q.	Okay, Lieutenant, I'm just going to show you what's	19	
20	*.	been marked as Exhibit 2, and if you could just leaf	20	
21		through that for a minute and let me know when you're	21	~
22		ready. The last couple pages are photographs that	22	· ·
23		didn't really turn out, but it's not important.	23	obviously, in Muskegon County, everybody else had
24	A.	Okay.	24	kicked him off the list. The most important to me
25	Q.	All right. So the first page of this Exhibit	25	~
				· ·
1		Page 18 Number 2, this is a copy, a true copy of a letter that	1	Page because we have kind of concurrent jurisdiction where
2		you sent to John Heykoop regarding placement on the	2	
3		no-pref list?	3	They kicked him off quite some time ago,
4	A.	It is.	4	and I didn't because I didn't have, I didn't have the
5	Q.	Okay. And it states that as of December 14th, 2017	5	due process that I have to go through in order to make
6		now, that's three years after the event that you just	6	that happen. I can't speak to what other departments
7		told me about, correct?	7	can do and why they would or wouldn't remove somebody
8	A.	Correct.	8	from the list, but I was the last agency that had them
9	Q.	Or at least three years?	9	on the list.
10	A.	Muen-huen.	10	I knew that the Hart post was going through
11	Q.	And you've also testified that you haven't received	11	some things with wrecker companies in Oceana County,
12		any other complaints personally since then, is that	12	and in particular Eagle Towing, and Lieutenant White
13		correct?	13	had conducted an investigation for some things that he
14	A.	Correct.	14	had happen up in Oceana County, and at the conclusion
15	Q.	Okay. It says: Eagle Towing has been removed from	15	of his investigation he made the decision then to
16		the Michigan State Police Rockford Post 61 no-pref	16	remove them from the no-preference list in Oceana
1.7		wrecker list. Your removal from the list is a direct	17	County.
18		result of the unacceptable service that you have	18	And I took a look at the investigation that
19		provided within the post area.	19	another State Police agency did that basically
20		Now, could you tell me, what does "post	20	bordered my jurisdiction in regards to a company that
21		area" refer to, please?	21	was operating in Muskegon County, as well. I felt
22	A.	My Rockford post area.	22	comfortable then that there was, there was enough
23	Q.	Okay. And unacceptable service, that's the only	23	through his investigation to remove them through the
24		stated reason in your letter is that serment?	24	

Correct.

stated reason in your letter, is that correct?

24

25 **A.**

25

24 policies and procedures of our official orders, and

then I removed him, as well.

Pages 45-48

027	0 1,2	V . /			1 ages 45-40
1		Page 45 possession to refer to, is that right?	1		Page 47 violation of that at all.
2	A.	That's correct.	2	Q.	Okay. They never have, and you don't know of any
3	Q.	Okay. Is that just an oversight or, you know, do you	3	χ.	facts that they were?
4	×.	know what the reason for that is?	4	A.	Not that I know of.
5	A.	I don't know. Probably oversight on my part. I guess	5	Q.	Okay. Now, the next section is 48.3.6, the
6	•••	I'm supposed to actually ask for all of those, all of	6	v.	"No-Preference Wrecker Call List," under section A(1)
7		those things listed in this order, all their	7		it says that: If a no-preference wrecker call list is
8		insurances, all their all those things, and I	8		created and one was created, correct?
9		haven't done it.	9	A.	Correct.
10	Q.	And in order to be on the no-pref list, everyone's	10	Q.	only wrecker services which have requested
11	×.	supposed to provide that information for you, is that	11	δ,	placement on the list and have met the requirements of
12		right?	12		this order shall be included.
13	A.	Correct.	13		Is that correct?
14	Q.	Okay. All right, with regard to storage charges and	14	A.	Correct.
15	×.	mileage charges, is your answer the same with regard	15	0.	Okay. Now, in order to be placed on the list it
16		to how you determine reasonable fees?	16	ν.	states "Application for Placement on No-Preference
17	A.	My answer is the same as to?	17		Call List," and there is a form designated UD-041. Do
18	0.	You said a minute ago that you don't know how, how	18		you see that?
19	ж.	reasonable rates are determined, and I just asked if	19	A.	I see that, yes.
20		that's the same thing for storage fees and mileage	20	Q.	Okay. So in order to be placed on the list, they have
21		charges.	21	ж.	to request placement, and the way to do that is by
22	A.	Yes.	22		submitting a UD-041, is that correct?
23	Q.	Okay. All right, have you ever, looking at page 17,	23	A.	That's correct.
24	_	letter M, have you ever found no, I'm sorry, one	24	Q.	Okay. And it states in B(3): The original signed
25		other question.	25		UD-041 and all other required documents shall be
		D 46	ļ		
1		Page 46 In your letter of December 14th, 2017,	1		Page 48 maintained at the worksite for the year the wrecker
2		where you sort of officially told Eagle Towing that	2		service is removed from the no-preference wrecker call
3		they were off your list, you did not make any	3		list plus two years.
4		reference to the rates they were charging in that	4		Do you see that?
5		letter, is that correct? And that's Exhibit 2 here.	5	A.	I do.
6	A.	I did not.	6	Q.	Okay. So you are required to maintain this form, is
7	Q.	Okay. So as far as Eagle Towing is concerned, when	7	~	that right?
8		they received this letter, they would have no basis	8	A.	By the order, I am, yes.
9		for knowing that the reason they were taken off the	9	Q.	Okay. And not just the order, not just the form, but
10		list was because for some reason you felt that their	10	~	also other required documents, it states there, is
11		charges were in violation of Order 48, is that	11		that right? It says the original signed form and
12		correct?	12		other required documents; do you see that?
13		MR. MYERS: Objection, calls for	13	A.	I do.
14		speculation.	14	Q.	Okay. And, in fact, you have to keep it two years
15	BY M	R. BRENNAN:	15		beyond the time that they would have been removed from
16	Q.	You can answer.	16		the list, is that right?
17		MR. MYERS: You can answer.	17	A.	That's what it says, yes.
18	A.	Yeah, I don't know what they would think after reading	18	Q.	Okay. How many wrecking companies in your post do you
19		that.	19		have a UD-041?
20	BY M	R. BRENNAN:	20	A.	I don't know.
21	Q.	Okay. Moving on to page 17, then, looking at M and N,	21	Q.	You did research your records to comply with the
22		same question as I had for A through K; is there	22		document request, correct?
23		anything in those two subsections that you can see in	23	A.	I did what?
24		which Eagle Towing was not in compliance?	24	Q.	Well, you got a document request, right, the
25	A.	Regarding letters M and N, I don't find them to be in	25		Exhibit 1? I had you go through these responses to
l .					

Pages 53-56

					1 ages 55-50
1	A.	Page 53	1		Page 55 called "Central Dispatch Centers," and Muskeqon has a
2	Q.	You understand that?	2		central dispatch center, is that correct?
3	A.	Yeah.	3	A.	They do.
4	Q.	Because other towing other agencies may have their	4	Q.	-
5	κ.	own qualifications, correct?	i	Ų٠	Okay. And it says: Central dispatch centers
6	A.	Correct.	5		administered by the department. What department are
7			6	_	they referring to there?
-	Q.	Okay, so I'm just it's kind of important. I want	7	A.	I don't know. I would suspect our department. We
8		to make sure I'm not relying on anyone else's at	8	_	have, we have regional dispatch centers, too.
9		this point here, I'm just relying on or I'm	9	Q.	Right. And the regional dispatch center doesn't have
10		investigating what you've done with regard to your	10		a towing list, is that correct?
11		post's lists.	11	A.	Correct.
12	A.	Okay.	12	Q.	Okay. Now, 48.3.12 outlines complaint procedures,
13	Q.	Okay. Have you heard of Twin Cities Towing Company or	13		right?
14		Wrecking Company?	14	A.	Yes.
15	A.	Not sure.	15	Q.	Okay. And it's your understanding that these
16	Q.	Not sure, okay. You don't know you can't confirm	16		procedures are required when dealing with complaints
17		whether they were put on the no-pref list in January	17		against a wrecker service, is that right?
18		of '15?	18	A.	Correct, yes.
19	A.	No.	19	Q.	Okay. So the first requirement is: Problems with or
20	Q.	And as far as you know, you don't have any UD-041s or	20	×.	complaints about a wrecker service shall be documented
21	-	accompanying documentation for that company at your	21		by the worksite commander.
22		post, as far as you know?	22		<u>"</u>
23	A.	Not that I know of.	23		So going back to your December 14th letter,
24	Q.	Okay. I'm sorry if this sounds like I'm asking the	24		the complaints or problems that you now have
25	×٠	same question again, but let's say since the merger,			articulated are behind this letter, you don't have any
		same quescron again, but let's say since the merger,	25		documentation for those, is that correct?
١,		Page 54	-		Page 56
1		okay, as far as you know, you have not personally		A.	For the one complaint that I got against Eagle Towing
2		received updated UD-041s or the insurance and the	2		back in 2014, I do not have any documentation. I
3		other documentation from the various towing companies	3		never completed any written documentation.
4	_	that are on your no-pref list?	4	Q.	Okay. And for any of the other reasons that you have
5	A.	Not that I know of.	5		stated here today on the record and you went
6	Q.	Okay. And you haven't asked for them, correct?	6		through the television thing, and all that stuff?
7	A.	Correct.	7	A.	Yes.
8	Q.	Okay. So unless you've looked at those, you have no	8	Q.	Okay. You don't have any documentation, you didn't
9		idea whether any towing company is in compliance with	9		keep any documentation with regard to any of that, is
10		Official Order 48 as far as getting on the no-pref	10		that correct?
11		list, is that correct?	11	A.	Correct.
12	A.	Correct.	12	Q.	Okay. And the 2014 incident, you don't have
13	Q.	Okay. So you may be in a situation where you have	13	~	documentation regarding that, either, is that right?
14		let me go back to your interrogatories here for a	14	Α.	I do not, no.
15		moment, Exhibit 1. On page 3 of Exhibit 1, you	15	Q.	· · · · · · · · · · · · · · · · · · ·
16		received the names from the Muskegon County Central		Q.	Okay. You're only supposed to retain that for two
17		Dispatch of several towing companies.	16		years, so
18		_ -	17		"Members," does that refer to I'm
19		You have no idea, as you're sitting here	18		looking at number 2 now, when it says "members." Does
1		today, whether any of those towing companies are	19		that refer to other officers?
20		appropriately qualified under Official Order 48, is	20	A.	Members of my department.
21	_	that correct?	21	Q.	Okay. So that's other state troopers?
22	A.	Correct.	22	A.	Correct.
23	Q.	Okay. If you can go back to the order again?	23	Q.	Okay. Have you received any reports from the members
24	A.	Okay.	24		of your office about Eagle Towing or their employees
25	Q.	All right, so on page 21, 48.3.11, there's a section	25		regarding rendering poor service?
<u> </u>					

Pages 57-60

A. Mem-hmm. 23 Q. And was his complaint also about the way the services 24 were priced? 25 A. Yes. Page 58 1 Q. Okay. Did you keep any documentation about that? 2 A. Verbal, as wall. No. 3 Q. Do you remember when that was made? 4 A. The one, it was back in 2014 there was a couple different times that Trooper Welsh had come to me, saying that people had said they were overcharged, but it was his case that the gentleman I spoke to the only real complaint that I ever had a person come to me with was from an incident Trooper Welsh had. 10 Q. Okay. And now A(2) says: Members shall report to their immediate supervisors the name of any wrecker service or their employee that renders poor service. 13 Talking about the service. 14 Talking about the service. 15 A. Sure, no. 16 Q. or that is incapable of providing quality service because of inadequate equipment or personnel to because of inadequate equipment or personnel to because of inadequate equipment or personnel to service, kind of the basis, and I use in the letter here when I talked about, you know, providing unacceptable service, I think that encompasses at the service acts of inadequate and service, I think that encompasses at the service and incident trooper when the service and incident trooper welsh had come to me, saying that people had said they were overcharged, but it was his case that the gentleman I spoke to the only real complaint shout other tow companies? 7 I never received any complaints about other tow companies. 8 Right. But it states that, it states that: Eas wrecker service shall be held to identical stand or conduct of performance. 9 So my question is, did you look to so other companies were charging about the same as Towing? 1 A. No. 1 Provinces. 1 A. No. 2 Correct. 2 A. No. 3 Correct. 3 A. No. 4 No. 5 Correct. 4 A. No. 5 In went to if it's necessarily an investigated well, I don' 6 posts and sheriff departments about Eagle Towing you do anything to investigate the bills or investigated well, I don' 6 I wan						1 4 5 0 5 7 0 0
2 0. So that's just your personal interpretation? 3	1	A.				Page 59
3 A. Yes. 4 Q. Mhich onnes? 5 A. Trooper Rhill Marshall and Trooper Rugh Welsh. 6 Q. And, specifically, when did let's start with 7 Marshall. Mend lift that when did he complain to 8 you about Ragle Towing, the overpricing? 9 A. I don't recall. It's been several years. 10 Q. Okay. 11 A. About the same time the complaints case in from the 12 gentleman that I talked to and Mr. Reykoop and I 13 talked about. 14 Q. Did you keep any documentation of Trooper Marshall's 15 complaints? 16 A. It's all verbal. 17 A. All verbal? 18 A. Yeah. 19 Q. And the other member, what was his name again? 20 A. Trooper Rugh Nalah. 21 Q. Buy helse? 22 A. Memban. 23 Q. And was his complaint also shout the way the services were priced? 24 A. Warbal, as well. No. 25 A. Yes. 26 Q. Okay. Did you keep any documentation about that? 27 A. Warbal, as well. No. 28 a ying that people had said they were overcharped, but it was his case that the gentleman I mpoke to the only real complaint that I ever had a person come to me with was from an incident Trooper Welsh had come to me, saying that people had said they were overcharped, but it was his asse that the gentleman I mpoke to the only real complaint that I ever had a person come to me with was from an incident Trooper Welsh had come to me, saying that people had said they were overcharped, but the micropath will be all to identical stan or computes. 19 Q. Okay. Dad now A(2) says: Members shall report to their immediate supervisors the mass of any wrecker service shall be held to identical stan or computes. 19 A. Sure, no. 20 Correct. 21 A. Wall, I, I vould, I would beek up and say render poor service, kind of the basis, and I use in the letter here when I talked about, you know, providing an uncoeptable service, I think that encompasses at macoeptable service, I think that enc	2	Q.	-		0.	
4 Q. Okay. Naw, it says in, in 3, it refers to wrest services whething sleep relationally when did—let's start with Marshall. When did that—when did he complain to a you shoult Eagle Towing, the overpricing? A. I don't recall. It's been several years. O. Okay. A. I don't recall. It's been several years. O. Okay. Did you keep any documentation of Trooper Marshall's complaints? A. Trooper Hugh Neish. O. All verbal? A. Trooper Hugh Neish. O. Okay. And the other member, what was his name again? A. Trooper Hugh Neish. O. Okay. So when you investigated — well, I don't know that the says in chapter 2 actually speaks to, can't say for sure. O. Wash. I dead about. I can't say for sure. O. Mail verbal? A. Trooper Hugh Neish. O. All verbal? A. Trooper Hugh Neish. O. All verbal? A. Warsh. O. Okay. So when you investigated — well, I don't know that the says in chapter 2 actually speaks to, can't say for sure. O. Wash. I dead about. I can't know that chapter 2 actually speaks to, can't say for sure. O. Well, let's try it this way. Intentional violation of Chapter 2'neither the year of support of you, "I we've got someone who's in violation of Chapter 2'neither speaks to overchapting of the speak to you chapter? a ctually speaks to, can't say for sure. O. Wash. All verbal? A. Trooper Hugh Neish. O. All verbal? A. Yeah. O. All verbal? A. Yeah. O. All verbal? A. Yeah. O. Okay. Bid you keep any documentation about that? A. Year. O. Okay. Did you keep any documentation about that? A. Year. O. Okay. Did you keep any documentation about that? A. Year. O. Okay. Did you keep any documentation about that? A. Year. O. Okay. Did you keep any documentation about that? A. Year. O. Okay. Did you keep any documentation about that? A. Trooper Hugh Neish. O. Okay. Did you keep any documentation about that? A. Trooper Hugh Neish. O. Okay. Did you keep any documentation about that?	3	A.	-	-		
5 A. Trooper Pairl Marshall and Trooper Bugh Welsh. 6 Q. And, specifically, when did let's start with 7 8 Marshall. Rhen did that when did the complain to you about Eagle Towing, it he overpricing? 8 A. I dan't recall. It's been several years. 10 Q. Okay. 11 A. About the same time the complaints came in from the 12 gentlemen that I talked to and Mr. Reykoop and I talked about. 12 gentlemen that I talked to and Mr. Reykoop and I talked about. 13 complaints? 16 A. It's all webal. 16 A. It's all webal? 17 A. A Trooper High Welsh. 18 A. Yeah. 19 Q. And the other member, what was his name again? 20 A. Trooper Migh Welsh. 21 Q. Bugh Welsh? 22 A. Mam-mm. 23 Q. And was his complaint also about the way the services were priced? 24 A. The one, it was back in 2014 there was a couple different times that Trooper Welsh had. 25 A. The one, it was back in 2014 there was a couple offerent times that Trooper Welsh had. 26 Q. Okay. And now A[2] says: Members shall report to their immediate supervisors the name of any wrecker service or their employee that rendurs poor service. 19 Q neither of those involve that, is that right? 20 La Well, I would, I would back up and say render poor service, Kind of the basis, and I uses in the letter because of inadequate equipment or personnel That's not involving charging, correct? 21 A. Wall, I would, I would back up and say render poor service, kind of the basis, and I uses in the letter heads a person comes to because of indequate equipment or personnel That's not involving dangting, correct? 22 have when I talked about, you know, providing unacceptable service, I think that encumpasses at the correct of the trimodiate supervisor of them is the letter when I talked about, you know, providing unacceptable service, I flath that the correct and the correct and the time of the provinces? 23 A. Well, I would, I would back up and say render poor service, Kind of the basis, and I uses in the letter heads and the correct and the correct and the correct and the correct and	4	Q.	Which ones?			
6 C. And, specifically, when did that when did be complain to you shout Sagle Towing, the overpricing? 9 A. I don't recall. It's been several years. 10 C. Okay. 11 A. About the same time the complaints came in from the gentleam that I talked to and Mr. Neyhoop and I talked about. 12 Did you keep any documentation of Trooper Marshall's complaints? 16 A. It's all verbal. 17 C. All verbal? 18 A. Yesh. 19 O. And the other member, what was his name again? 20 A. Trooper Bagh Maish. 21 O. Diay Relain? 22 A. Men-hum. 23 O. And was his complaint also shout the way the services were priced? 24 A. Men-hum. 25 A. Yes. 26 D. Okay. Did you keep any documentation about that? 27 A. Trooper Bagh Maish. 28 A. The one, it was back in 1014 there was a couple different times that Trooper Welsh had. 29 G. Do you remember when that was made? 30 C. Do you remember when that was made? 4 A. The one, it was back in 1014 there was a couple different times that Trooper Welsh had. 4 C. Okay. Did you keep any documentation about that? 5 A. The one, it was back in 1014 there was a couple different times that Trooper Welsh had. 6 C. Or that is incapable of providing quality service seasons of insdepate equipment or personnel their immediate supervisors the name of any wrecker service shall be held to identical stan or conduct of performance. 5 A. Sure, no. 10 C. Okay. And now Al2; Jayrs. Members shall report to their immediate supervisors the name of any wrecker service shall be held to identical stan or conduct of performance. 5 A. A. Roop and the service. 10 C. Or that is incapable of providing quality service because of insdepate equipment or personnel their emptode, you know, providing unacceptable service, I think that encurpasses at macestable service, I think that an encurpasses at macestable service, I think that the complaint of the provided and the services. 10 C. Okay. And now Al2; Jayrs. Members shall report to their immediate supervisors the name of any wrecker service shall be h	5	A.	Trooper Phil Marshall and Trooper Hugh Welsh.		χ.	
marshall. When did that when did he complain to you about Eagle Towing, the overpricing? A louf treall. It's been several years. O coloay. A hout the same time the complaints came in from the gentleman that I talked to and Mr. Reykop and I talked about. D complaints? A lit's all verball. A lit's all verball. A leash. A Yeah. A Yeah. Complaints? A Trooper Marshall's complaints? A Trooper Marshall's complaints? A Trooper Marshall's complaints? A Trooper May Welsh. A Yeah. A Yeah. Complaints? A Trooper May Welsh. A Yeah. Correct. A Well, I would, I would back up and say render poor service, I had both the basis, and I use in the letter here when I talked about, to know, providing unacceptable service, I think that encompasses - at the sentleman of the year of the services? A Well, I would, I would back up and say render poor service, I had of the basis, and I use in the letter here when I talked about, you know, providing unacceptable service, I think that encompasses - at the gentleman I spoke to the service, I think that encompasses at the gentleman I spoke to the service, I think that encompasses at the services of the basis, and I use in the letter here when I talked about, you know, providing unacceptable service, I think that encompasses at the gentleman I spoke to the service, I think that encompasses at the gentleman I spoke to the service, I think that encompasses at the gentleman I spoke to the service, I think that encompasses at the service of their involving charging, correct? A Well, I would, I would back up and say render poor service. A Well, I would, I would back up and say render poor service, the when I talked about, you know, providing unacceptable service, I think that encompasses at the service of the complement or personnel the service of the basis, and I use in the letter here when I talked about, you know, Providing unacceptable service, I think that encompasses at the service of the service, I think that encompasses a	6	0.	_			
you about Eagle Towing, the overpricing? 9 A. I don't recall. It's been several years. 10 C. Okay. 11 A. About the same time the complaints case in from the gentlemen that I talked to and Mr. Heykoop and I talked about. 12 bid you keep any documentation of Trooper Marshall's complaints? 13 talked about. 14 C. Did you keep any documentation of Trooper Marshall's complaints? 15 complaints? 16 A. It's all verbal. 17 C. All verbal? 18 A. Yesh. 19 C. And the other member, what was his name again? 19 A. Trooper Hugh Welsh. 19 C. And was his complaint also about the way the services were priced? 20 A. Mama-hum. 21 C. Okay. Did you keep any documentation about that? 22 A. Yes. 23 C. Do you remember when that was made? 24 A. The one, it was back in 2014 there was a couple different times that Trooper Welsh had come to me, saying that people had said they were overchard, but it was his case that the gentleman I spoke tor the only real complaint that I ever had a person come to me with was from a finddent Trooper Welsh had. 29 C. Okay. And now A(2) says: Members shall report to their immediate supervisors the name of any wrecker service or their employee that renders poor service. 21 A. Sure, no. 22 Sure, no. 23 C. Orreet. 24 A. Sure, no. 25 A. Sure, no. 26 Correct. 27 A. Sure, no. 28 A. Sure, no. 29 C. Orthat is incapable of providing quality service because of inadequate equipment or personnel. 29 C. Orthat is incapable of providing quality service because of inadequate equipment or personnel. 29 C. Face of the service, I think that encompasses at the letter have went I talked about, you know, providing unacceptable service, I think that encompasses at the control of the service of the service, I think that encompasses at the control of the service of the service, I think that encompasses at the control of the service of the service, I think that encompasses at the control of the service of the service, I think that encompasses at the control of the service of the service, I think that encompasse	7	-				
2					a	
10 Q. Okay. 11 A. About the same time the complaints came in from the gentleman that I talked to and Mr. Heykoop and I talked about. 12		A.			n,	
A. About the same time the complaints came in from the gentleman that I talked to and Mr. Heykoop and I talked about. 10	F				Ω	
gentleman that I talked to and Mr. Heykoop and I talked about. Did you keep any documentation of Trooper Marshall's complaints? A. It's all verbal? A. Yeah. A. Yeah. A. Yeah. A. Yeah. A. Yeah. A. Yeah. A. Mill werbal? A. Yeah. A. Yeah.	1		•		Q.	
talked about. 13	1			1		
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10 Q. Okay. And now A(2) says: Members shall report to 11 their immediate supervisors the name of any wrecker 12 service or their employee that renders poor service. 13 Talking about the service. 14 Talking about the service. 15 A. Sure, no. 16 Q. Or that is incapable of providing quality service 17 because of inadequate equipment or personnel 18 A. Correct. 19 Q neither of those involve that, is that right? 20 Inadequate equipment or personnel. 21 A. Well, I would, I would back up and say render poor 22 service, kind of the basis, and I use in the letter 23 here when I talked about, you know, providing 24 unacceptable service, I think that encompasses at 20 wrecker service shall be held to identical stance or conduct of performance. 26 So my question is, did you look to so other companies were charging about the same as Towing? 27 Towing? 28 A. Yes. 29 I'm not talking about rates, I'm talking about invoices. 29 Did not look at their invoices. 20 A. Did not look at their invoices. 21 Q. You did not look at their invoices? 22 A. Correct. 23 Q. Okay. I mean, it's one thing to state a rate. 24 something else to find out how much they're actually and supervised in the letter of the performance. 29 A. Correct. 20 Okay. I mean, it's one thing to state a rate. 20 So my question is, did you look to so other companies were charging about the same as Towing? 29 A. Yes. 20 Q. I'm not talking about rates, I'm talking about invoices? 20 Okay. 21 Q. Okay. 22 Okay. 23 Q. Okay. 24 Something else to find out how much they're actually and supervised in the letter something else to find out how much they're actually and supervised in the letter something else to find out how much they're actually and supervised in the letter service. 24 Something else to find out how much they're actually and supervised in the letter service. 25 A. Something else to find out how much they're actually and supervised in the letter service. 26 A. Something else to find out how much they're actually and supervised in the letter service.	ŀ			8		-
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service or their employee that renders poor service. That's not involving charging, correct? Talking about the service. Towing? A. Yes. Correct. R. No. P. Or that is incapable of providing quality service because of inadequate equipment or personnel Talking about the same as Towing? Towing? Towing? That's not involve the same as Towing? A. Yes. Correct. That's not involving charging, correct? A. Yes. Towing? That's not involve the same as Towing? A. Yes. Correct. That's not involving quality service involves. Towing? That's not involves were charging about the same as Towing? A. Yes. That's not involve the same as Towing? A. You do not look at t	l	Ų.		į.		wrecker service shall be held to identical standards
That's not involving charging, correct? Talking about the service. Talking about the service. Talking about the service. Talking about the service. Towing? A. Sure, no. Towing? A. Yes. Correct. R. Correct. R. Correct. A. Correct. Talking about the service of inadequate equipment or personnel Towing? That's not involving charging, correct? A. Yes. Correct. R. No. Proving? That's not involving charging, correct? A. Yes. Correct. R. No. Proving? That's not involving charging, correct? A. Yes. Correct. R. No. Proving? That's not involving charging about the same as the s	į.			l		÷
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15 A. Sure, no. 16 Q. Or that is incapable of providing quality service because of inadequate equipment or personnel 18 A. Correct. 19 Q neither of those involve that, is that right? 20 Inadequate equipment or personnel. 21 A. Well, I would, I would back up and say render poor service, kind of the basis, and I use in the letter here when I talked about, you know, providing unacceptable service, I think that encompasses at unacceptable se	1			13		other companies were charging about the same as Eagle
16 Q. Or that is incapable of providing quality service 17 because of inadequate equipment or personnel 18 A. Correct. 19 Q neither of those involve that, is that right? 20 Inadequate equipment or personnel. 21 A. Well, I would, I would back up and say render poor 22 service, kind of the basis, and I use in the letter 23 here when I talked about, you know, providing 24 unacceptable service, I think that encompasses at 26 Q. I'm not talking about rates, I'm talking about 27 invoices. Did you look at invoices? 28 A. No. 29 A. Did not look at their invoices. 20 You did not look at their invoices? 21 Q. You did not look at their invoices? 22 A. Correct. 23 Q. Okay. I mean, it's one thing to state a rate. 24 something else to find out how much they're actuments.	i	_		14		Towing?
because of inadequate equipment or personnel 18 A. Correct. 19 Q neither of those involve that, is that right? 20 Inadequate equipment or personnel. 21 A. Well, I would, I would back up and say render poor 22 service, kind of the basis, and I use in the letter 23 here when I talked about, you know, providing 24 unacceptable service, I think that encompasses at 17 invoices. Did you look at invoices? 18 A. No. 19 Q. Okay. 20 A. Did not look at their invoices. 21 Q. You did not look at their invoices? 22 A. Correct. 23 Q. Okay. I mean, it's one thing to state a rate. 24 something else to find out how much they're actu	į.			15	A.	Yes.
18 A. Correct. 19 Q neither of those involve that, is that right? 20 Inadequate equipment or personnel. 21 A. Well, I would, I would back up and say render poor 22 service, kind of the basis, and I use in the letter 23 here when I talked about, you know, providing 24 unacceptable service, I think that encompasses at 25 No. 26 No. 27 A. No. 29 Q. Okay. 20 A. Did not look at their invoices. 21 Q. You did not look at their invoices? 22 A. Correct. 23 Q. Okay. I mean, it's one thing to state a rate. 24 something else to find out how much they're actu-	ļ	Q.	_	16	Q.	I'm not talking about rates, I'm talking about
19 Q neither of those involve that, is that right? 20 Inadequate equipment or personnel. 21 A. Well, I would, I would back up and say render poor 22 service, kind of the basis, and I use in the letter 23 here when I talked about, you know, providing 24 unacceptable service, I think that encompasses at 26 A. Did not look at their invoices. 27 A. Correct. 28 Q. Okay. I mean, it's one thing to state a rate. 29 Something else to find out how much they're actually			because of inadequate equipment or personnel	17		invoices. Did you look at invoices?
Inadequate equipment or personnel. A. Well, I would, I would back up and say render poor service, kind of the basis, and I use in the letter here when I talked about, you know, providing unacceptable service, I think that encompasses at 24 something else to find out how much they're actually and their invoices. 20 A. Did not look at their invoices. 21 Q. You did not look at their invoices. 22 A. Correct. 23 Q. Okay. I mean, it's one thing to state a rate. 24 something else to find out how much they're actually	1			18	A.	No.
21 A. Well, I would, I would back up and say render poor 22 service, kind of the basis, and I use in the letter 23 here when I talked about, you know, providing 24 unacceptable service, I think that encompasses at 25 Vou did not look at their invoices? 26 A. Correct. 27 Q. Okay. I mean, it's one thing to state a rate. 28 something else to find out how much they're actuments.	1	Q.		19	Q.	Okay.
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here when I talked about, you know, providing unacceptable service, I think that encompasses at 23 Q. Okay. I mean, it's one thing to state a rate. 24 something else to find out how much they're actu	21	A.		21	Q.	You did not look at their invoices?
unacceptable service, I think that encompasses at 24 something else to find out how much they're actu	22		service, kind of the basis, and I use in the letter	22	A.	Correct.
unacceptable service, I think that encompasses at 24 something else to find out how much they're actu	23		here when I talked about, you know, providing	23	Q.	Okay. I mean, it's one thing to state a rate. It's
	24		unacceptable service, I think that encompasses at	24		
	25		least the way I thought about it was the overcharging,	25		charging to somebody, is what I'm trying to get at

Pages 125-128

					1 ages 125–120
1		Page 125 charged. I told him I still didn't think that was a	1		Page 127 invoice even was for?
2		fair amount and that I was considering it done at this	2	A.	I do not know.
3		point in time, but if I received further complaints of	3	Q.	
4		overcharging, I may have to take a different course of		v.	Because I'm going back to something you testified to
5		action.	4		earlier, which is that every incident is different.
6	Q.		5	A.	Correct.
7	Q.	So a lot of this investigation was verbal	6	Q.	You didn't make any investigation, at least in terms
		conversation?	7		of documentation, to determine what was or what was
8	A.	It was all verbal, yes, sir.	8		not unique about this particular event, is that
9	Q.	And if you received complaints about a towing company,	9		correct?
10		is that how you would typically handle it, in more of	10	A.	It was that I can tell you the case that I
11		an informal, not written manner?	11		remember the case, as it was explained to me, is that
12	A.	No. I think that in the future this has been kind	12		a person went off the road, about fifty to a hundred
13		of a learning process for me I probably would	13		feet, and they were upside down into a creek which was
14		document it.	14		about one foot deep of water.
15	Q.	I mean in the past.	15		And so that was the conversation I had with
16	A.	Oh, right. No, no, yeah.	16		the wrecker companies; if you had this happen, what
17	Q.	And why was that? Did you have a reason that you	17		would it take to tow that person out.
18		would just typically contact these companies over the	18	Q.	Okay. And neither of those companies went and did an
19		phone or	19		investigation where the creek was
20	A.	I've never had one. I've been a post commander for	20	A.	No.
21		eleven years and never had complaint against a wrecker	21	0.	where the accident happened?
22		company. So I thought it was just a dispute I could	22	A.	No.
23		handle over the phone and	23	0.	It was just a hypothetical creek, with a hypothetical
24	0.	Okay. I have no further questions.	24	x.	car being tipped into a creek?
25	~	MR. BRENNAN: Okay.	25	A.	Yes, sir.
					100, 011,
1		Page 126 RE-EXAMINATION		_	Page 128
2	DV N	R. BRENNAN;	1	Q.	Okay. So you had no and you didn't converse with
3			2		Eagle Towing to determine what the unique
	Q.	You know, I have one follow-up on that, which is that	3	_	circumstances were about that particular incident?
4		you said that you contacted one other towing company?	4	A.	I did talk to him and I asked him, "Why is this charge
5	A.	Two others. I'm sorry, I don't recall which ones they	5		so much," and it was explained to me there were
6	•	were. I know they worked in Muskegon County.	6		different things that were done. They have different
7	Q.	But you don't know which ones they were?	7		certifications, different vehicles, different this
8	A.	I don't remember, no.	8	Q.	Okay, and the factual circumstances of the accident,
9	Q.	And you don't know how much they were charging?	9		is that right?
10	A.	It was much less. I know that it was enough to have	10	A.	And the?
11		me I did that before I called Mr. Heykoop, because	11	Q.	The factual circumstances of the accident, the unique
12		then I had a basis in my own mind because when this	12		factual circumstances of the accident, what it took to
13		guy said he was charged whatever it was, two, three	13		get that particular car out.
				7	No.
14		thousand dollars, I didn't have any real basis to say	14	A.	No.
14 15		thousand dollars, I didn't have any real basis to say that that was right or wrong, so	14 15		i
	Q.	that that was right or wrong, so		Q.	Oh, so you didn't find out whether it was difficult or
15	Q.		15		Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three
15 16	Q. A.	that that was right or wrong, so Right. And you got these and you did this verbally	15 16 17	Q.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that?
15 16 17 18		that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir.	15 16 17 18	Q. A.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No.
15 16 17 18 19	A.	that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir. You didn't show them Eagle Towing's invoice, is that	15 16 17 18 19	Q.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No. Okay. Which would make a difference in terms of how
15 16 17 18 19 20	A. Q.	that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir. You didn't show them Eagle Towing's invoice, is that correct?	15 16 17 18 19 20	Q. A. Q.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No. Okay. Which would make a difference in terms of how much you'd have to charge, is that correct?
15 16 17 18 19 20 21	A.	<pre>that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir. You didn't show them Eagle Towing's invoice, is that correct? I didn't have an invoice. I just had a dollar amount,</pre>	15 16 17 18 19 20 21	Q. A. Q. A.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No. Okay. Which would make a difference in terms of how much you'd have to charge, is that correct? It may.
15 16 17 18 19 20 21 22	A. Q. A.	that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir. You didn't show them Eagle Towing's invoice, is that correct? I didn't have an invoice. I just had a dollar amount, and I did not, no.	15 16 17 18 19 20 21 22	Q. A. Q.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No. Okay. Which would make a difference in terms of how much you'd have to charge, is that correct? It may. Okay. All right, I'm done.
15 16 17 18 19 20 21 22 23	A. Q. A. Q.	that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir. You didn't show them Eagle Towing's invoice, is that correct? I didn't have an invoice. I just had a dollar amount, and I did not, no. And you didn't ask him for that?	15 16 17 18 19 20 21 22 23	Q. A. Q. A.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No. Okay. Which would make a difference in terms of how much you'd have to charge, is that correct? It may. Okay. All right, I'm done. Signature reserved, thank you.
15 16 17 18 19 20 21 22 23 24	A. Q. A.	that that was right or wrong, so Right. And you got these and you did this verbally over the phone, right? Yes, sir. You didn't show them Eagle Towing's invoice, is that correct? I didn't have an invoice. I just had a dollar amount, and I did not, no.	15 16 17 18 19 20 21 22	Q. A. Q. A.	Oh, so you didn't find out whether it was difficult or easy, or whether they had to make two or three attempts, or anything like that? No. Okay. Which would make a difference in terms of how much you'd have to charge, is that correct? It may. Okay. All right, I'm done.